

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

|   |   |                            |
|---|---|----------------------------|
| <b>THOMAS E. MERTZ,</b>                 | ) |                            |
|   | ) |                            |
| <b>Plaintiff</b>                        | ) |                            |
|   | ) |                            |
| <b>v.</b>                               | ) | <b>Case No. 04-55 Erie</b> |
|   | ) |                            |
| <b>DONZI MARINE, INC. and</b>           | ) |                            |
| <b>AMERICAN MARINE HOLDINGS,</b>        | ) | <b>Judge Cohill</b>        |
| <b>INC., in its own right and d/b/a</b> | ) |                            |
| <b>DONZI MARINE,</b>                    | ) |                            |
|   | ) |                            |
| <b>Defendants and</b>                   | ) |                            |
| <b>Third Party Plaintiffs,</b>          | ) |                            |
|   | ) |                            |
| <b>v.</b>                               | ) |                            |
|   | ) |                            |
| <b>THE BOAT STORE,</b>                  | ) |                            |
|   | ) |                            |
| <b>Third Party Defendant</b>            | ) |                            |

**ORDER**

AND NOW, this 7<sup>th</sup> day of December, 2006, it is hereby ORDERED, ADJUDGED, AND DECREED that counsel for Defendants Donzi Marine, Inc. and American Marine Holdings, Inc., in its own right and d/b/a Donzi Marine shall provide the Court with the original Purchase Agreement for the 2003 Donzi 38ZX Daytona motorboat purchased by Plaintiff Thomas Mertz on or before December 21, 2006.

*Maurice B. Cohill, Jr.*  
Maurice B. Cohill, Jr.  
Senior District Court Judge